

2990 S. Pine Tree Road
Oneida, WI. 54155
tele: 920-869-1011
fax: 920-869-2048
E-mail: joe@hobart-wi.org

Joe Helfenberger
Village Administrator

January 24, 2007

Brian C. Bell
U. S. EPA
WN-16J
77 West Jackson Blvd.
Chicago, Ill. 60604

From: Joe Helfenberger
Hobart Village Administrator

Re: MS4 Application

Dear Brian:

Enclosed is the MS4 Permit Application. Thank you.

**Notice of Intent to Apply for Coverage Under MS4 General Permit
WPDES Permit No. WI-S050075**

Form 3400-NNN (R 2/06)

Page 1

NOTICE: This application form is authorized by section 283.37, Wis. Stats., and Chapters NR 151 and 216, Wis. Adm. Code. Personally identifiable information on this form may be used for other program purposes and may be made available to requestors under Wisconsin's Public Records laws and be posted on the Department's internet site.

Instructions: Complete the following for all permit applications. If additional space is needed to respond to a question, attach additional pages. Provide descriptions below that explain the program activities that you expect to develop and implement to comply with the Municipal Separate Storm Sewer System (MS4) general permit (<http://dnr.wi.gov/org/water/wm/nps/stormwater/muni.htm>). Section 3 of the MS4 general permit contains the compliance schedules that direct when the individual program activities need to be developed and submitted to the Department for review. The detailed programs that are developed and submitted to the Department for review may deviate from the program activities described below if necessary. The descriptions provided below are necessary for the Department to verify that the municipality's program activities comply with the permit.

| Section I: Applicant Information | | | |
|---|---|--------------------|-----------------------------|
| Name of Municipality Village of Hobart | | | |
| Mailing Address 2990 S. Pine Tree Road | City Oneida | State Wi | Postal Code 54155 |
| County(s) in which Applicant is located Brown | Type of Municipality: (check one) <input type="checkbox"/> County <input type="checkbox"/> City <input checked="" type="checkbox"/> Village <input type="checkbox"/> Town <input type="checkbox"/> Other (specify) | | |

| Section II: Local Contact Information (check one) | | | |
|---|---|---|-----------------------------|
| Name of Municipal Contact Person Joe Helfenberger | | Title Village Administrator | |
| Mailing Address 2990 S. Pine Tree Road | City Oneida | State Wi | Postal Code 54155 |
| E-mail address joe@hobart-wi.org | Telephone Number (include area code) 920-869-3804 | Fax Number (include area code) 920-869-2048 | |

| Section III: Water Quality Concerns | | |
|--|-------------------------------------|--|
| Yes | No | |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Does any part of the MS4 discharge to an outstanding resource water (ORW) or exceptional resource water (ERW) listed under s. NR 102.10 or 102.11, Wis. Adm. Code? (An unofficial list of ORWs and ERWs may be found on the Department's Internet site at: http://dnr.wi.gov/org/water/wm/wqs/) |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Does any part of the MS4 discharge to an impaired waterbody listed in accordance with section 303(d)(1) of the federal Clean Water Act, 33 USC § 1313(d)(1)(C)? (A list of Wisconsin impaired waterbodies may be found on the Department's Internet site at: http://dnr.wi.gov/org/water/wm/wqs/303d/303d.html) |

| Section IV: Area and Population Within the MS4 | | |
|---|--------------------------|--|
| Yes | No | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | Is the MS4 within an "Urbanized Area" as defined by U.S. EPA? (See http://www.epa.gov/npdes/pubs/fact2-2.pdf) |

If no, skip the rest of this section and continue to Section V. If yes, estimate the area served by and the population within the MS4 in an Urbanized Area (UA).

(Urbanized Area maps are available on the EPA web site at: <http://cfpub1.epa.gov/npdes/stormwater/urbanmaps.cfm>)

| | |
|---|---|
| Total municipal area (in square miles): 33 | Total municipal population (in year 2000): 5090 |
| MS4 service area within Urbanized Area (in square miles): 4.1 | Municipal population within Urbanized Area (in year 2000): 1600 |

| Section V: Potential Permit Exemption | | |
|--|-------------------------------------|---|
| Yes | No | Section NR 216.023, Wis. Adm. Code, allows certain MS4s that have less than 1000 people residing in an urbanized area to be waived from having to obtain municipal storm water permit coverage. |
| <input type="checkbox"/> | <input checked="" type="checkbox"/> | Do you believe that the MS4 may be eligible for this potential exemption? |

Section VI: Summary of Municipal Storm Water Program Activities

Describe the programs or activities the municipality is doing or will do to comply with the requirements of the MS4 general permit. Attach additional pages if necessary.

A. Public Education and Outreach

Describe the public education and outreach program activities that the municipality will implement to comply with section 2.1 of the MS4 general permit.

SEE ATTACHMENT

B. Public Involvement and Participation

Describe the public involvement and participation program activities that the municipality will promote to comply with section 2.2 of the MS4 general permit.

SEE ATTACHMENT

C. Illicit Discharge Detection & Elimination

Describe the illicit discharge detection and elimination program authority and activities that the municipality will develop and implement to comply with section 2.3 of the MS4 general permit.

SEE ATTACHMENT

D. Construction Site Pollution Control

Describe the construction site pollutant control program authority and activities that the municipality will develop and implement to comply with section 2.4 of the MS4 general permit.

SEE ATTACHMENT

E. Post-Construction Site Storm Water Management

Describe the post-construction storm water management program authority and activities that the municipality will develop and implement to comply with section 2.5 of the MS4 general permit.

SEE ATTACHMENT

F. Pollution Prevention

Describe the pollution prevention program activities that the municipality will implement to comply with section 2.6 of the MS4 general permit.

SEE ATTACHMENT

Section VII: Certification

Certification: I hereby certify that I am an authorized representative of the municipality that is the subject of this application for general permit coverage, and that the information provided is true and complete, to the best of my knowledge. I understand that Wisconsin law provides severe penalties for submitting false information.

Authorized Representative Name

Joe Helfenberger

Title

Village Administrator

Signature

Joe Helfenberger

Date Signed

1-10-07

E-mail address

joe@hobart-wi.org

Telephone Number (include area code)

920-869-3804

Fax Number (include area code)

920-869-2048

Return this completed form to:

Wisconsin Department of Natural Resources

Storm Water Program - WT/2

PO Box 7921

Madison, WI 53707-7921

Attachment

2.1 Public Education and Outreach

The Village of Hobart is a member of the Northeast Wisconsin Storm Water Consortium (NEWSC). As a NEWSC member, Village of Hobart participated in the sponsorship of a Community-Based Social Marketing Workshop, the implementation of a phone survey to over 400 area residents, promotion of storm water related public service announcements and an episode of an "It's Your Environment" television program.

NEWSC implemented a phone survey of residents in the Brown, Calumet, Fond du Lac, Outagamie, and Winnebago counties. The phone survey was conducted by St. Norbert College from October 18 – November 7, 2005 and reached 404 area residents. The purpose for the survey was three-fold. The first was to evaluate the current storm water awareness level of area residents, including their knowledge of where storm water goes and what contributes to storm water pollution. The second was to gather data about individual behaviors affecting storm water by identifying the barriers, benefits, or motivations that affects these behaviors. Finally, information from the survey was intended to assist the Information and Education Committee in selecting target markets and create a focus for educational goals, tools, and practices.

Through NEWSC the Village of Hobart promoted storm water education to the public through the Fox Cities Viewpoint Public Service Announcements. These were aired on WHBY and reached a listening audience bounded on the west by Waupaca, the north by Marinette, the east by Manitowoc, and the south by Fond du Lac. The viewpoints were promoted from June – November 2005 and included storm water tips on the following topics: lawn mowing, car washing, lawn pesticides, lawn fertilizers, and leaves.

NEWSC orchestrated an episode of the "It's Your Environment" TV program to have a storm water focus. The episode was broken into 3 segments with a focus on state-level regulations, education, and local participation. It aired on Channel UPN 32, Saturday, December 17, 2005.

The Village of Hobart will submit a public education and outreach program to the DNR within 18 months of permit coverage. Hobart will use the NEWSC I&E plan as a model for suggestions on strategies to meet local educational goals, for guidance on how to develop the local I&E plan, and for insight on how to achieve local goals.

The public education and outreach program will include methods to promote detection and elimination of illicit discharges and water quality impacts associated with such discharges from municipal separate storm sewer systems.

The program will use the results from the 2005 Storm water Survey to identify audiences and behaviors regarding proper management of materials that may cause storm water pollution from sources including automobiles, pet waste, household hazardous waste, and household practices. Additionally the program will be geared toward the promotion of beneficial storm water practices including: onsite reuse of

leaves and grass clippings, proper use of lawn and garden fertilizers and pesticides, management of stream banks and shorelines by riparian landowners to minimize erosion and restore and enhance the ecological value of waterways, infiltration of residential storm water runoff from rooftop downspouts, driveways and sidewalks.

The program will include processes to inform and, where appropriate, educate those responsible for the design, installation, and maintenance of construction site erosion control practices and storm water management facilities on how to design, install and maintain the practices. It will also include methods to identify businesses and activities that may pose storm water contamination concerns and, where appropriate, educate specific audiences on methods of storm water pollution prevention.

The program will include the promotion of environmentally sensitive land development designs by developers and designers.

Resources available for use in the Village information and education topic packets (include Public Service Announcement wording, tip sheet, UW Extension educational handout link) and available on the EPA website on the following topics:

- > Car Care
- > Lawn Mowing and Watering
- > Weeds and Pesticides
- > Fertilizer
- > Leaves
- > Pet Waste
- > 2005 Storm water Survey Results – available on the website
- > Model Information and Education Plan – in progress
- > Nonpoint Education for Municipal Officials (NEMO) Presentations
- > Erosion Control Training Package for 1 & 2 Family Dwelling Construction

2.2. Public Involvement

The Village of Hobart will submit summary of proposed public involvement and participation program to the DNR within 18 months of permit coverage. The program will include public notification regarding the activities performed as part of the program and the participation and compliance of applicable state and local public notice requirements.

More extensive use of rain gardens and other storm water management practices will be promoted with residents through the Site Review, building permits, and inspection programs. Community service programs in local schools and with civic groups will be reviewed regarding integrating storm water management practices.

2.3 Illicit Discharge Detection and Elimination

The Village of Hobart will submit an Illicit Discharge Detection and Elimination Ordinance to the DNR within 24 months of permit coverage. The NEWSC Model Illicit Discharge Detection and Elimination Ordinance will be used as a base model. Once adopted, this ordinance provides the necessary regulatory authority to detect and remove illicit connections and discharges to the MS4.

The Village of Hobart will submit illicit discharge response procedures to the DNR within 24 months of permit coverage. The Village will use the Spill Notification Procedure in conjunction with the Hobart Fire Department to illustrate the flow of communication with the DNR. The Spill Notification Procedure will include the names and contact numbers of those who should be involved in a spill situation. The procedure will require immediate notification of the Hobart Fire Department and the DNR in the event of a spill or release of a hazardous substance. The Spill Hotline number will be posted at the Village Office. The Village will update this information annually or more frequently if there are changes in management or personnel.

The Village will create an update to the GIS Outfall Inventory data-base as part of this program. A schedule for field screening of all major outfalls during dry weather periods will be created and followed. The field screenings will include visual observations and field analysis. Initial field screenings will be implemented within 36 months of permit coverage. The Village will submit a program for on-going dry weather field screening of outfalls to the DNR within 36 months of permit coverage.

2.4 Construction Site Pollutant Control

The Village of Hobart will review and upgrade their existing Storm Water Runoff and Erosion Control Ordinance in the Village Code of Ordinances Chapters 4.2 and 4.3 and submit to the DNR within 18 months of permit coverage. The Village will provide long-term maintenance procedures to the DNR within 18 months of permit coverage and provide staff resources to enforce maintenance issues. The Hobart Storm Water Utility will continue to provide resources for long-term maintenance of public storm water best management practices.

The NEWSC Model Construction Site Erosion Control Ordinance will be used to update the existing ordinance. This ordinance provides the necessary regulatory authority to require erosion and sediment control at construction sites and ensure compliance.

Hobart will determine what community staff or consultants will be responsible for site inspection and enforcement. The Village will submit construction site inspection and enforcement procedures to the DNR within 18 months of permit coverage.

The Hobart staff will maintain training in this area through DNR workshops and other opportunities. Erosion Control Training Package for 1 and 2 Family Dwelling Construction (available through NEWSC) will be utilizing the following:

- Power Point Presentation
- Erosion Control Notice To Comply Inspection Report Form
- Erosion Control and Storm Water Management Permit Application for 1 & 2 Family Dwelling Construction Sites
- Erosion Control and Storm Water Management Permit for 1 & 2 Family Dwelling Construction Sites
- Stop Work Order and Door Hanger Notice
- Erosion Control Construction Inspection Report Form

- Erosion Control for Homeowners- handout
- Standard Erosion Control Plan and Checklist

Procedures and checklists will be generated for use by Village staff to properly monitor and enforce erosion control practices throughout the Village.

2.5 Post-Construction Storm Water Management

Hobart will submit a Post-Construction Storm Water Management Ordinance to the DNR within 18 months of permit coverage. The NEWSC Model Post-Construction Storm Water Management Zoning Ordinance will be used as a base model. Once adopted, this ordinance provides the necessary regulatory authority which controls the quality of discharges from areas of new development and redevelopment, after construction is completed. Hobart will create and submit long-term maintenance procedures to the DNR within 18 months of permit coverage and provide staff resources to enforce maintenance issues. The Hobart Storm Water Utility will continue to provide resources for long-term maintenance for public storm water best management practices.

2.6 Pollution Prevention

The Village of Hobart will submit a pollution prevention program to the DNR within 24 months of permit coverage. This plan will include a schedule for routine maintenance of municipally owned and operated structural storm water management facilities to maintain efficiency. The plan will also include a schedule for routine street sweeping. Proper disposal of street sweeping and catch basin cleaning waste and road salt/deicer use will also be addressed.

The program will also include Hobart plans to ensure proper management of leaves and grass clippings and application of lawn and garden fertilizers on municipally controlled properties. This includes site-specific nutrient application schedules based on appropriate soil tests. Procedures will include storm water pollution prevention planning for municipal garages, storage areas and other sources of storm water pollution from municipal garages. Hobart intends to adopt measures to reduce municipal sources of storm water contamination within source water protection areas.

Village of Hobart will continue to evaluate storm water training opportunities for staff and elected officials.



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Green Bay ES Field Office
2661 Scott Tower Drive
New Franken, Wisconsin 54229-9565
Telephone 920/866-1717
FAX 920/866-1710

April 30, 2008

Mr. Peter G. Swenson, Chief
NPDES Programs Branch
U.S. Environmental Protection Agency
77 West Jackson Boulevard
Chicago, Illinois 60604-3590

re: Endangered Species Coordination
Proposed Municipal Separate Storm Sewer
Brown County, Wisconsin

Dear Mr. Swenson:

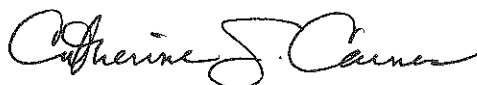
The U.S. Fish and Wildlife Service (Service) has received your letter dated April 14, 2008, requesting our concurrence on your determination on the effects of the subject action. The project entails the issuance of National Pollutant Discharge Elimination System permits authorizing the discharge of storm water from the Oneida Nation and Village of Hobart municipal separate storm sewer Systems (MS4) and portions of the Village of Ashwaubenon and the City of Green Bay, located within the Oneida Reservation, in Brown County, Wisconsin. Our comments follow.

Federally-Listed Species, Candidate Species, and Critical Habitat

Based on a review of the information provided in your letter, we concur with your determination that your project will not affect federally-listed threatened or endangered species. This precludes the need for further action on this project as required by the 1973 Endangered Species Act, as amended. Should additional information on listed or proposed species or their critical habitat become available or if project plans change or if portions of the proposed project were not evaluated, it is recommended that you contact our office for further review.

We appreciate the opportunity to respond. Questions pertaining to these comments can be directed to Mr. Joel Trick at 920-866-1737.

Sincerely,


Louise Clemency
Field Supervisor



United States Environmental Protection Agency
Region 5
77 West Jackson Boulevard
Chicago, IL 60604-3590

May 2, 2008

RE: Nation Historic Preservation Act Compliance
Proposed Municipal Separate Storm Sewer Permits

Dear Peter G. Swenson:

The Oneida Historic Preservation Office has reviewed the related material of the map delineated locations of stormwater outfalls.

The Oneida Nation Preservation Office concurs with the findings of no significant impact nor will it have no impact on historical or cultural sites within the proposed project area.

Thank you for your attention in this matter, and if you have any further questions please contact me at your earliest convenience at (920) 496-5386.

Respectfully,

Corina Burke
Oneida Tribal Historic Preservation Officer
P.O. Box 365
Oneida WI, 54155
cwilliam@oneidanation.org

